REMARKS

Claims 1-58 are pending, with claims 1, 30, and 58 being independent. Claims 1-8, 10, 15, 22-25, 30-34, 49-53, and 58 have been amended. Support for the amendments is found at, for example, page 12, lines 5-12 and page 15, lines 25-30. No new matter has been introduced.

Notice of Non-Compliant Amendment

A Notice of a Non-Compliant Amendment was mailed on September 5, 2008. The Notice objected to the specification indicating that the paragraph did not include markings. Applicants respectfully note that the paragraph has been marked to describe that, "[f]or example, the operations described previously may be invoked when other management systems are problematic." The Notice also stated that "Applicant presents amendments to the claims. However, the independent claims are amended such that there were previously 'identifying' steps, but there was only one in the previously presented version of the claims." Applicants believe that the Notice was referring to claims 7, 8, and 10. Claims 7, 8, and 10 have been amended and now recite, for example, "identifying, during the first content request, the jukebox location ... ." Applicants believe that all concerns have been addressed.

Rejection under 35 U.S.C 112 1st and 2nd Paragraphs and Objection to the Specification

The specification is objected to for failing to provide proper antecedent basis for the claim subject matter. In particular, the Office Action notes, "claims 13-15 and 41-43 recite the limitations of encoding a location label 'magnetically encoded on the medium,' 'optically-encoded on the medium,' and 'visually encoded on the medium.' Such terminology is absent from the specification, especially detailing how this is performed." See pages 3-4 (citing to MPEP 608.01(o).

In addition, the Office Action rejected claims 13-15 and 41-43 under 35 U.S.C. 1st and 2nd paragraphs, noting (1) that the terminology in these claims same claims ("magnetically

encoded on the medium," "optically-encoded on the medium," and "visually encoded on the medium") is absent from the specification, especially detailing how this is performed.

Applicant traverses these rejections. The specification notes that the location label may be associated with the medium, and that the medium may include magnetic and optical disks. See, e.g., page 5; see also page 2 ("[d]etermining the permissible location may include reading a location label associated with a medium that includes the content selection, the location label indicating a geographical region where the content selection may be used in the content request."). Among other references, the specification notes on page 9 that, "the location watermark reader 213 may read location information residing on a medium the content reader 212 is accessing. In particular, an optical disk may include one or more parameters indicating one or more locations where the content may be accessed. " (Emphasis added).

Thus, because the specification describes the different medium on which the content may be stored, and notes that the medium also may store the location label, Applicant requests that the objection and 35 U.S.C. 112 rejections be withdrawn.

Rittmaster et al. Rejection.

Claims 1, 3, 6-15, 17-21, 23, 25-29, 32, 34-43, 45-49, 51, 53-57 and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 2002/0023010 to Rittmaster et al. ("Rittmaster").

Claim 1 has been amended and now recites a method of managing access to content. A first content request initiated at a jukebox for access to a content selection is received and it is determined that a permissible location for content selection has not been specified. During the first content request, a jukebox location corresponding to a location of the jukebox is identified. Based on determining that the permissible location for content selection has not been specified and, using the jukebox, the permissible location for the content selection as the jukebox location is set.

A second content request at the jukebox for the content selection is received. During the second content request, the content selection is read to determine the permissible location for

rendering the content selection and a jukebox location is identified. Also during the second content request, the jukebox location is related to the permissible location and the second content request is enabled when the permissible location supports access to the content selection from the jukebox location.

In contrast, Rittmaster describes how a provider processor 12serving content to a terminal (e.g., a host serving a URL to a personal computer) geocodes the content for a terminal. See, e.g., [0033-0035] (a provider processor is 12 is configured to restrict access to content which may have "political, social, ethical, or moral implications."). Rittmaster describes several techniques for how a provider processor restricts access to content. In one example, Rittmaster notes that a user device requesting content from a web page provides the location of the user device so that a web server may determine whether the user device resides in an area that is authorized access to the requested content. See [0052-0053]. Rittmaster then notes that the server determines whether user device is requesting content in an authorized manner, using for example, timing information. See [0061]. The timing and location information sent to the host may be encrypted to reduce fraudulent reporting of timing and location information. See [0066]. The timing and location information may be sent separately and/or periodically. [0068-0069]. In Figures 5 and 6, Rittmaster further illustrates how the provider device processes requests from the user device. [0071-0079].

In Figures 8 and 9, the user preregisters with the content provider. Rittmaster notes that billing information or a telephone directory may be used by the content provider to restrict access to content. [0090]. Upon preregistering, the user is assigned a user code, which the user then provides during subsequent access to content. See, e.g., [0094]. In lower security implementations, the content is not encrypted. Instead, the content provider providers a shell or tag for location-based access. [0106].

In all of these configurations, Rittmaster relies on the provider processor that remotely specifies where, whether, and how content may be downloaded. Thus, Rittmaster fails to set, based on determining that the permissible location for content selection has not been specified and using the jukebox, the permissible location for the content selection as the jukebox location.

For at least the reasons discussed above, Applicant respectfully requests reconsideration and withdrawal of the Rittmaster rejection of independent claim 1 and its dependent claims. Independent claims 30 and 58 recite similar limitations and are believed to be allowable for at least the same reason that claim 1 is allowable.

Rejections Under 35 U.S.C. § 103

Claims 2, 4-5, 16, 22, 24, 31, 33, 44, 50, and 52 were rejected as being unpatentable over Rittmaster in view of Unger (U.S. Publication No. 2002/0023010), Nathan (U.S. Publication No. 2005/0060405), Woods (U.S. Publication No. 2002/0087692), Ortega (U.S. Publication No. 2006/0031558), and Kajino (U.S. Publication No. 2003/0225863). Applicants respectfully request reconsideration and withdrawal of the § 103 rejections of claims 2, 4-5, 16, 22, 24, 31, 33, 44, 50, and 52 because Rittmaster fails to describe or suggest the features of the independent claims and neither Unger, Nathan, Woods, Ortega nor Kajino remedies the deficiencies of Rittmaster discussed above. Nor does the Office Action contend that Unger, Nathan, Woods, Ortega nor Kajino does so.

No fee is believed to be due. However, please apply any other charges or credits to Deposit Account 06-1050.

Respectfully submitted,

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